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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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21839	7590	09/02/2004	EXAMINER	
BURNS DOANE SWECKER & MATHIS L L P			MEONSKE, TONIA L	
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ALEXANDRIA, VA 22313-1404			PAPER NUMBER	

2183

DATE MAILED: 09/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/427,114

Applicant(s)

OBARA ET AL.

Examiner

Tonia L Meonske

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-26 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Kuo et al., US Patent 5,299,309.
4. The rejections are respectfully maintained and incorporated by reference as set forth in the last office action, mailed on March 8, 2004.

Response to Arguments

5. Applicant's arguments filed May 26, 2004 have been fully considered but they are not persuasive.
6. On page 13, Applicant argues in essence:

"Nothing in Kuo et al. shows, teaches or suggests a) each of a plurality of processors executes a processing function on pixel data as claimed in claims 1 and 11 or b) a second (image) processor executes second (image) processing on (image) data that is subject to first (image processing) as claimed in claims 25 and 26. Rather, the CPU 14 of KUO et al. writes the graphic content parameters into a shared memory (i.e., the graphic context parameters of Kuo et al., which are output by CPU14 are not pixel data and are not processed on data subjected to first processing). "

The graphic context parameters of Kuo et al. are in fact pixel data. The parameters represent image data (column 1, lines 20-64, column 2, lines 31-46). The image data contains drawing commands for a CRT monitor (column 4, lines 13-33). A CRT monitor uses pixels to output, or draw, data on screen (column 1, lines 20-64, column 2, lines 31-46, column 4, lines 13-33). The CRT of Kuo et al. must receive the pixel data, or graphic context parameters, in order to properly draw the images, or the pixels, on screen. Therefore, the graphic context parameters of Kuo et al. are in fact pixel data. Therefore this argument is moot. Furthermore, the Graphics processor, element 20, executes on the pixel data, or image data, which was subjected to the first processing. The image data including the graphics context parameters are created and stored by the CPU 14 (column 4, lines 13-32). The Microsoft Computer Dictionary, fourth edition, defines a process as "A coherent sequence of steps undertaken by a program". In the case of Kuo et al., the first processing is the creation and storing of the image data performed by the CPU 14 (column 4, lines 13-32). This image data is then further processed by the Graphics Processor, element 20 in order to draw the images on the CRT (column 1, lines 20-64, column 2, lines 31-46, column 4, lines 13-33). Therefore Kuo et al. has in fact taught processing on data that is subject to a first image processing, as claimed in claims 25 and 26. Therefore this argument is moot.

7. On page 14, Applicant argues in essence:

"Nothing in Kuo et al. shows, teaches or suggests a memory storing state information representing processing to be performed next as claimed in claims 1 and 11 or state information representing the processing state of the data as

claimed in claims 25 and 26. Rather, Kuo et al. merely discloses a shared memory storing graphic context parameters representing the initial and final addresses of a line segment, information relating to foreground and background color, information relating to the mix of the three primary colors, etc."

However, Kuo et al. has in fact taught a memory storing state information representing processing to be performed next as claimed in claims 1 and 11 (Figure 2, element 34) and state information representing the processing state of the data as claimed in claims 25 and 26 (Figure 2, element 34). The parameters, which are commands representing the processing state to be processed next by the graphics processor (column 4, lines 13-33), are stored in the shared memory (column 4, lines 13-33, element 34). Therefore this argument is moot.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
9. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tonia L Meonske whose telephone number is (703) 305-3993. The examiner can normally be reached on Monday-Friday, 8-4:30.

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie P Chan can be reached on (703) 305-9712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tlm


EDDIE CHAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100